



DEPARTMENT OF ADMINISTRATIVE SERVICES



STATE OF CONNECTICUT

HB 5359

165 Capitol Avenue
Hartford, CT 06106-1658

An Act Establishing the Public-Private Partnership Commission

Government Administrations & Elections Committee

March 3, 2014

The Department of Administrative Services (DAS) offers the following testimony regarding House Bill 5359.

House Bill 5359 would establish a Public-Private Partnership Commission within the Department of Administrative Services. The purpose of the Commission would be to make recommendations to the Governor concerning projects submitted by state agencies to the Governor under section 4-256(a) of the general statutes.

DAS respectfully offers that there is no need for such a commission. Additionally, DAS is concerned about the feasibility of the proposed framework.

Current law already includes a process by which agency proposals for public-private partnerships are developed, reviewed and approved. Agencies are required to develop proposals taking a number of statutorily-defined criteria into consideration; they must consult on their proposals with the commissioners of Economic and Community Development, Administrative Services and Transportation, the State Treasurer and the Secretary of the Office of Policy and Management; and they are required to submit their proposals to the Governor and to the Legislature's Finance, Revenue & Bonding and Appropriations Committees. Those legislative committees are required to hold public hearings on the proposals. Further, the statute outlines guidelines for the Governor to consider in his approval process.

House Bill 5359 would add to this existing process a step where the agency needs to submit its plan to a newly established Public-Private Partnership Commission, and the Commission would make recommendations to the Governor. It is not clear that this additional step will add any value, as the existing process already includes extensive input from both the legislative and executive branches.

Further, the manner in which House Bill 5359 establishes this new Commission is problematic. First, under the bill, the Commission would only be in existence for a few months. If passed, the bill would be effective upon passage (early May 2014), members

must be appointed within 30 days, and then the commission would statutorily terminate on January 1, 2015. Second, the bill requires that, after appointed, the members elect a chairperson, who is charged with scheduling the first meeting of the Commission. Administratively, DAS questions how the members will be able to elect a chair before they get together to meet. Finally, the bill establishes very tight timeframes for the members to do its work. The bill requires that the Committee meet no later than 15 days after it receives an agency project proposal, and that it must provide its recommendations on the proposal "no later than 5 days after" the meeting. DAS respectfully submits that these timeframes may not be realistic considering the schedules of the volunteer members appointed to the Committee.

We thank the Committee for permitting DAS to comment on House Bill 5359. If there are any questions about this testimony, please feel free to contact Terrence Tulloch-Reid (Terrence.Reid@ct.gov) or Andrea Keilty (Andrea.Keilty@ct.gov).